

Appl. No. 10/809,773

**RECEIVED**  
**CENTRAL FAX CENTER**  
OCT 6 8 2008

Amendments to the Claims

This listing of claims will replace all prior versions in the application.

1. (currently amended) A method for improving at least one of a surface finish and a surface integrity of a workpiece formed or shaped with a tool, the workpiece having a surface hardness, comprising increasing the surface hardness of the workpiece during forming or shaping of the workpiece with the tool by jetting cryogenic fluid from a jet of the cryogenic fluid at at least a portion of the tool at an impingement angle ( $\alpha$ ) greater than about 30° and less than about 90°, and then said cryogenic fluid impinges the workpiece at a spread angle ( $\beta$ ) wherein the spread angle ( $\beta$ ) is such that the cryogenic fluid impinges at least the entire length of contact between the tool and the workpiece.

2. (canceled) ~~A method as in claim 1 wherein the spread angle ( $\beta$ ) is such that the cryogenic fluid impinges at least the entire length of contact between the tool and the workpiece.~~

3. (Previously Presented) A method as in claim 1, wherein said method further comprises the step of impinging at least a portion of said workpiece or at least a portion of said tool with cryogenic fluid from a second jet of cryogenic fluid.

4. (Canceled) ~~A method as in claim 3, wherein the jet of the cryogenic fluid impinges on the portion of the tool at an impingement angle ( $\alpha$ ) greater than about 0° and less than about 90°.~~

Appl. No. 10/809,773

5. ~~(Canceled) A method as in claim 3, wherein the jet of the cryogenic fluid impinges on the portion of the tool at an impingement angle ( $\alpha$ ) greater than about 30° and less than about 90°.~~

6. (Previously Presented) A method as in claim 1, wherein the jet of the cryogenic fluid impinges on the surface of the workpiece at a spread angle ( $\beta$ ) greater than about 0° and less than about 180°.

7. ~~(Canceled) A method for improving at least one of a surface finish and a surface integrity of a workpiece formed or shaped with a tool, the workpiece having a surface hardness, comprising increasing the surface hardness of the workpiece prior to forming or shaping the workpiece with the tool, or prior to and during forming or shaping of the workpiece with the tool.~~

8. ~~(Canceled) A method as in claim 7, wherein the surface hardness of the workpiece is increased by at least one of a heat treatment, a chemical treatment, and a mechanical treatment.~~

9. (Previously Presented) The method of claim 1 wherein said tool is a cutting tool comprising a rake face, and said at least a portion of the tool is at least a portion of the rake face.

10. (Original) A method for improving at least one of a surface finish and a surface integrity of a workpiece formed or shaped with a tool, comprising the steps of:

providing a supply of a cryogen;

providing a nozzle adjacent the workpiece, the nozzle having

Appl. No. 10/809,773

at least one inlet adapted to receive a flow of the cryogen,  
an upstream portion in fluid communication with the at least one inlet, the upstream portion adapted to receive at least a portion of the flow of the cryogen from the at least one inlet,

a downstream portion in fluid communication with the upstream portion and adapted to receive at least a portion of the flow of the cryogen from the upstream portion, and

at least one outlet in fluid communication with the downstream portion and adapted to receive and transmit from the downstream portion at least a portion of the flow of the cryogen;

delivering a portion of the cryogen to the at least one inlet of the nozzle, wherein the cryogen is at least partially separated within the downstream portion of the nozzle into a condensed phase portion and a vapor portion; and

jetting at least a portion of an expanding jet of the condensed phase portion and the vapor portion from the at least one outlet of the nozzle to the tool and a surface of the workpiece.

11. (Original) A method as in claim 10, wherein the downstream portion of the nozzle has at least one diverging wall and at least one converging wall adapted to converge on the expanding jet.

12. (Original) A method as in claim 11, wherein the at least one diverging wall has a diverging angle and the at least one converging wall has a converging angle less than the diverging angle.

Appl. No. 10/809,773

13. (Original) A method as in claim 11, wherein the diverging wall is open to an ambient atmosphere.

14. (Previously Presented) The method of claim 10 further wherein the downstream portion of the nozzle has at least one diverging wall open to an ambient atmosphere and at least one converging wall adapted to converge on the expanding jet, and wherein the at least one diverging wall has a diverging angle and the at least one converging wall has a converging angle less than the diverging angle.

15. (currently amended) The A method of claim 1 further comprising the step for forming or shaping a workpiece having a surface hardness, comprising the steps of:

providing a the tool adjacent the workpiece, ~~the tool adapted to form or shape the workpiece;~~

~~forming or shaping the workpiece with the tool; and~~

~~increasing the surface hardness of the workpiece during forming or shaping of the workpiece with the tool by jetting cryogenic fluid so that the jet of the cryogenic fluid impinges on at least a portion of the tool at an impingement angle ( $\alpha$ ) greater than about 30° and less than about 90°, and then said cryogenic fluid impinges the workpiece at a spread angle ( $\beta$ ).~~

16. (currently amended) A workpiece formed or shaped by a method as in claim 15 and characterized by an improved surface finish, an improved surface integrity, or both an improved surface finish and an improved surface integrity, wherein said workpiece having a work surface roughness (Ra), wherein the work surface roughness (Ra) is equal to or less than a theoretical low roughness limit (Ra-t), calculated as  $Ra-t=f^2 / (32 r)$ , where f is a cutting tool feedrate and r is a cutting tool nose radius.

Appl. No. 10/809,773

17. ~~(canceled) A workpiece as in claim 16, said workpiece having a work surface roughness (Ra), wherein the work surface roughness (Ra) is equal to or less than a theoretical low roughness limit (Ra-t), calculated as  $Ra-t = f^2 / (32 r)$ , where f is a cutting tool feedrate and r is a cutting tool nose radius.~~

18. ~~(canceled) A workpiece as in claim 16, wherein the workpiece has a formed or shaped work surface characterized by an improved residual stress, said improved residual stress being more compressive, deeper extending, or both more compressive and deeper extending than another residual stress that would be obtained by forming or shaping the workpiece without increasing the surface hardness of the workpiece during forming or shaping of the workpiece.~~

19. (currently amended) The method of claim 15 ~~A workpiece as in claim 16~~, wherein the workpiece contains at least one metallic alloy having at least one element selected from a group consisting of cobalt (Co), chromium (Cr), molybdenum (Mo), nickel (Ni), iron (Fe), tungsten (W), aluminum (Al), and titanium (Ti) or contains at least one polymer or at least one polymer-based composite.

20. ~~(canceled) A workpiece as in claim 16, wherein at least a portion of the workpiece is in a form selected from a group consisting of a cast form, wrought form, powder metallurgy form, and composite form.~~

21. ~~(canceled) A workpiece as in claim 16, wherein the workpiece contains at least one polymer or at least one polymer based composite.~~

Appl. No. 10/809,773

22. ~~(Canceled) A workpiece as in claim 16, wherein the workpiece has a formed or shaped work surface characterized by at least one of an improved fatigue strength, an improved fatigue life, an improved stress cracking resistance, and an improved corrosion resistance.~~

23. ~~(Canceled) A method for machining a workpiece having a surface hardness, comprising the steps of:~~

~~providing a cutting tool adjacent the workpiece, the cutting tool adapted to shape the workpiece;~~

~~shaping the workpiece with the cutting tool while cooling with a cryogenic fluid at least a portion of the tool, or at least a portion of the workpiece, or at least a portion of the tool and at least a portion of the workpiece; and~~

~~increasing the surface hardness of the workpiece during shaping of the workpiece with the cutting tool, wherein the shaped workpiece is characterized by an improved surface finish having a work surface roughness (Ra) equal to or less than a theoretical low roughness limit (Ra<sub>t</sub>), calculated as  $Ra_t = f^2 / (32 r)$ , where f is a cutting tool feedrate and r is a cutting tool nose radius.~~

24. ~~(Canceled) A method for manufacturing a finished part or a finished product from a workpiece having a surface hardness, comprising the steps of:~~

~~providing a tool adjacent the workpiece, the tool adapted to form or shape the workpiece;~~

~~forming or shaping the workpiece with the tool;~~

~~increasing the surface hardness of the workpiece during forming or~~

Appl. No. 10/809,773

~~shaping of the workpiece with the tool by cooling with a cryogenic fluid at least a portion of the workpiece, or at least a portion of the tool and at least a portion of the workpiece; and~~

~~manufacturing the finished part or the finished product from the workpiece shaped or formed with the tool wherein the finished part or the finished product is manufactured from the workpiece without using at least one additional operation needed by at least one other method for manufacturing a comparable finished part or a comparable finished product which the other method forms or shapes from a comparable workpiece having a comparable surface hardness without increasing the comparable surface hardness of the comparable workpiece during forming or shaping of the comparable workpiece, said at least one additional operation being selected from a group consisting of grinding, polishing, honing, deburring, peening, tumbling, burnishing, deep rolling, soft annealing, soft machining, soft shaping, soft forming, and work part cleaning.~~

25. (Canceled) ~~A method as in claim 24, wherein the finished part or the finished product is manufactured from the workpiece without using at least one additional operation needed by at least one other method for manufacturing a comparable finished part or a comparable finished product which the other method forms or shapes from a comparable workpiece having a comparable surface hardness without increasing the comparable surface hardness of the comparable workpiece during forming or shaping of the comparable workpiece, said at least one additional operation being selected from a group consisting of grinding, polishing, honing, deburring, peening, tumbling, burnishing, deep rolling, soft annealing, soft machining, soft shaping, soft forming, and work part cleaning.~~

Appl. No. 10/809,773

26. ~~(Canceled) A finished part or a finished product manufactured by a method as in claim 24 and characterized by a reduced manufacturing cost, said reduced manufacturing cost being less than a higher manufacturing cost for a comparable finished part or a comparable finished product manufactured by at least one other method which forms or shapes a comparable workpiece having a comparable surface hardness without increasing the comparable surface hardness of the comparable workpiece during forming or shaping of the comparable workpiece.~~

27. ~~(Canceled) The method of claim 24 wherein said tool is a cutting tool.~~

28. (currently amended) An apparatus for improving at least one of a surface finish and a surface integrity of a workpiece formed or shaped with a tool, the workpiece having a surface hardness, comprising means for increasing the surface hardness of the workpiece during forming or shaping of the workpiece with the tool, wherein said means for increasing the surface hardness of the workpiece during forming or shaping of the workpiece with the tool comprises a jet of cryogenic fluid impinging at least a portion of the tool at an impingement angle ( $\alpha$ ) greater than about 30° and less than about 90°, and then said cryogenic fluid impinges the workpiece at a spread angle ( $\beta$ ) wherein the spread angle ( $\beta$ ) is such that the cryogenic fluid impinges at least the entire length of contact between the tool and the workpiece.

29. ~~(canceled) An apparatus as in claim 28, wherein the spread angle ( $\beta$ ) is such that the cryogenic fluid impinges at least the entire length of contact between the tool and the workpiece.~~



Appl. No. 10/809,773

30. (Previously Presented) An apparatus as in claim 29, further comprising a second jet of the cryogenic fluid that impinges on a portion of the tool or a portion of a surface of the workpiece.

31. (Canceled) ~~An apparatus as in claim 30, wherein the jet of the cryogenic fluid impinges on the portion of the tool at an impingement angle ( $\alpha$ ) greater than about 0° and less than about 90°.~~

32. (Canceled) ~~An apparatus as in claim 30, wherein the jet of the cryogenic fluid impinges on the portion of the tool at an impingement angle ( $\alpha$ ) greater than about 30° and less than about 90°.~~

33. (Original) An apparatus as in claim 30, wherein the jet of the cryogenic fluid impinges on the surface of the workpiece at a spread angle ( $\beta$ ) greater than about 0° and less than about 180°.

34. (Canceled) ~~An apparatus for improving at least one of a surface finish and a surface integrity of a workpiece formed or shaped with a tool, the workpiece having a surface hardness, comprising means for increasing the surface hardness of the workpiece prior to forming or shaping the workpiece with the tool, or prior to and during forming or shaping of the workpiece with the tool.~~

35. (Canceled) ~~An apparatus as in claim 34, wherein the surface hardness of the workpiece is increased prior to forming or shaping the workpiece with the tool by at least one of a heat treatment, a chemical treatment, and a mechanical treatment.~~

Appl. No. 10/809,773

36. (Previously Presented) The apparatus of claim 28, said tool is a cutting tool comprising a rake face and said at least a portion of the tool is a portion of said rake face.

37. (Original) An apparatus for improving at least one of a surface finish and a surface integrity of a workpiece formed or shaped with a tool, comprising:

a supply of a cryogen;

a nozzle adjacent the workpiece, the nozzle having

at least one inlet adapted to receive a flow of the cryogen,

an upstream portion in fluid communication with the at least one inlet, the upstream portion adapted to receive at least a portion of the flow of the cryogen from the at least one inlet,

a downstream portion in fluid communication with the upstream portion and adapted to receive at least a portion of the flow of the cryogen from the upstream portion, and

at least one outlet in fluid communication with the downstream portion and adapted to receive and transmit from the downstream portion at least a portion of the flow of the cryogen;

means for delivering a portion of the cryogen to the at least one inlet of the nozzle, wherein the cryogen is at least partially separated within the downstream portion of the nozzle into a condensed phase portion and a vapor portion; and

means for jetting at least a portion of an expanding jet of the condensed phase portion and the vapor portion from the at least one outlet of the nozzle to the tool and a surface of the workpiece.

Appl. No. 10/809,773

38. (Original) An apparatus as in claim 37, wherein the downstream portion of the nozzle has at least one diverging wall and at least one converging wall adapted to converge on the expanding jet.

39. (Original) An apparatus as in claim 38, wherein the at least one diverging wall has a diverging angle and the at least one converging wall has a converging angle less than the diverging angle.

40. (Original) An apparatus as in claim 38, wherein the diverging wall is open to an ambient atmosphere.

41. (Previously Presented) The apparatus of claim 37 wherein the downstream portion of the nozzle has at least one diverging wall open to an ambient atmosphere and at least one converging wall adapted to converge on the expanding jet, and wherein the at least one diverging wall has a diverging angle and the at least one converging wall has a converging angle less than the diverging angle.

42. (currently amended) The An apparatus of claim 37 further for forming or shaping a workpiece having a surface hardness, comprising:

~~a tool adjacent the workpiece, the tool adapted to form or shape the workpiece;~~

~~means for forming or shaping the workpiece with the tool; and~~

~~means for increasing the surface hardness of the workpiece during forming or shaping of the workpiece with the tool wherein said means for increasing the surface hardness of the workpiece during forming or shaping of~~

Appl. No. 10/809,773

~~the workpiece with the tool comprises a jet of cryogenic fluid impinging at least a portion of the tool at an impingement angle ( $\alpha$ ) greater than about 30° and less than about 90°, and then said cryogenic fluid impinges the workpiece at a spread angle ( $\beta$ ).~~

43. (currently amended) A workpiece formed or shaped by an apparatus as in claim 42 said workpiece having a work surface roughness (Ra), wherein the work surface roughness (Ra) is equal to or less than a theoretical low roughness limit (Ra-t), calculated as  $Ra-t=f^2 / (32 r)$ , where f is a cutting tool feedrate and r is a cutting tool nose radiusand characterized by an improved surface finish, an improved surface integrity, or both an improved surface finish and an improved surface integrity.

44. (canceled) ~~A workpiece as in claim 43, said workpiece having a work surface roughness (Ra), wherein the work surface roughness (Ra) is equal to or less than a theoretical low roughness limit (Ra-t), calculated as  $Ra-t=f^2 / (32 r)$ , where f is a cutting tool feedrate and r is a cutting tool nose radius.~~

45. (canceled) ~~A workpiece as in claim 43, wherein the workpiece has a formed or shaped work surface characterized by an improved residual stress, said improved residual stress being more compressive, deeper extending, or both more compressive and deeper extending than another residual stress that would be obtained by forming or shaping the workpiece without using a means for increasing the surface hardness of the workpiece during forming or shaping of the workpiece.~~

46. (currently amended) The A workpiece as in claim 43, wherein the workpiece contains at least one metallic alloy having at least one element selected from a

Appl. No. 10/809,773

group consisting of cobalt (Co), chromium (Cr), molybdenum (Mo), nickel (Ni), iron (Fe), tungsten (W), aluminum (Al), and titanium (Ti) or contains at least one polymer or at least one polymer-based composite.

47. ~~(canceled) A workpiece as in claim 43, wherein at least a portion of the workpiece is in a form selected from a group consisting of a cast form, wrought form, powder metallurgy form, and composite form.~~

48. ~~(canceled) A workpiece as in claim 43, wherein the workpiece contains at least one polymer or at least one polymer-based composite.~~

49. ~~(canceled) A workpiece as in claim 43, wherein the workpiece has a formed or shaped work surface characterized by at least one of an improved fatigue strength, an improved fatigue life, an improved stress-cracking resistance, and an improved corrosion resistance.~~

50. (Original) An apparatus for machining a workpiece having a surface hardness, comprising:

a cutting tool adjacent the workpiece, the cutting tool adapted to shape the workpiece;

means for shaping the workpiece with the cutting tool; and

means for increasing the surface hardness of the workpiece during shaping of the workpiece with the cutting tool, wherein the shaped workpiece is characterized by an improved surface finish having a work surface roughness (Ra) equal to or less than a theoretical low roughness limit (Ra-t), calculated as  $Ra-t=f^2 / (32 r)$ , where f is a cutting tool feedrate and r is a

Appl. No. 10/809,773

cutting tool nose radius.

51. (Canceled) ~~An apparatus for manufacturing a finished part or a finished product from a workpiece having a surface hardness, comprising:~~

~~a tool adjacent the workpiece, the tool adapted to form or shape the workpiece;~~

~~means for forming or shaping the workpiece with the tool;~~

~~means for increasing the surface hardness of the workpiece during forming or shaping of the workpiece with the tool, wherein said means for increasing the surface hardness of the workpiece during forming or shaping of the workpiece with the tool comprises means for jetting a cryogen at said workpiece or at said workpiece and said tool; and~~

~~means for manufacturing the finished part or the finished product from the workpiece shaped or formed with the tool wherein the finished part or the finished product is manufactured from the workpiece without using at least one additional operation needed by at least one other apparatus for manufacturing a comparable finished part or a comparable finished product which the other apparatus forms or shapes from a comparable workpiece having a comparable surface hardness without increasing the comparable surface hardness of the comparable workpiece during forming or shaping of the comparable workpiece, said at least one additional operation being selected from a group consisting of grinding, polishing, honing, deburring, peening, tumbling, burnishing, deep rolling, soft annealing, soft machining, soft shaping, soft forming, and work part cleaning.~~

52. (Canceled) ~~An apparatus as in claim 51, wherein the finished part or~~

Appl. No. 10/809,773

~~the finished product is manufactured from the workpiece without using at least one additional operation needed by at least one other apparatus for manufacturing a comparable finished part or a comparable finished product which the other apparatus forms or shapes from a comparable workpiece having a comparable surface hardness without increasing the comparable surface hardness of the comparable workpiece during forming or shaping of the comparable workpiece, said at least one additional operation being selected from a group consisting of grinding, polishing, honing, deburring, peening, tumbling, burnishing, deep rolling, soft annealing, soft machining, soft chaping, soft forming, and work part cleaning.~~

53. (Canceled) ~~A finished part or a finished product manufactured by an apparatus as in claim 51 and characterized by a reduced manufacturing cost, said reduced manufacturing cost being less than a higher manufacturing cost for a comparable finished part or a comparable finished product manufactured by at least one other apparatus which forms or shapes a comparable workpiece having a comparable surface hardness without increasing the comparable surface hardness of the comparable workpiece during forming or shaping of the comparable workpiece.~~

54. (Canceled) ~~The apparatus of claim 51 wherein said tool is a cutting tool.~~

55. (Original) A nozzle for jetting an expanding jet of a cryogen to a surface of a workpiece, comprising:

at least one inlet adapted to receive a flow of the cryogen;

an upstream portion in fluid communication with the at least one inlet,

the upstream portion adapted to receive at least a portion of the flow of the cryogen from the at least one inlet;

Appl. No. 10/809,773

a downstream portion in fluid communication with the upstream portion and adapted to receive at least a portion of the flow of the cryogen from the upstream portion;

at least one outlet in fluid communication with the downstream portion and adapted to receive and transmit from the downstream portion at least a portion of the flow of the cryogen; and

means for separating the cryogen at least partially into a condensed phase portion and a vapor portion within the downstream portion of the nozzle.

56. (Original) A nozzle as in claim 55, further comprising an internal expansion chamber adapted to confine the expanding jet of the cryogen, wherein the nozzle is adapted to clamp a cutting tool having a tool rake surface.

57. (Original) A nozzle as in claim 55, wherein the downstream portion of the nozzle has at least one diverging wall and at least one converging wall adapted to converge on the expanding jet of the cryogen.

58. (Original) A nozzle as in claim 57, wherein the diverging wall has a diverging angle and the converging wall has a converging angle less than the diverging angle.

59. (Original) A nozzle as in claim 57, wherein the diverging wall is open to an ambient atmosphere.

60. (Previously Presented) The nozzle of claim 55, further comprising an



Appl. No. 10/809,773

internal expansion chamber adapted to confine the expanding jet of the cryogen,

wherein the downstream portion of the nozzle has at least one diverging wall open to an ambient atmosphere and at least one converging wall adapted to converge on the expanding jet of the cryogen, and

wherein the diverging wall has a diverging angle and the converging wall has a converging angle less than the diverging angle, and

wherein the nozzle is adapted to clamp a cutting tool having a tool rake surface.

61. (new) The method of claim 1, further comprising the step of:

manufacturing the finished part or the finished product from the workpiece shaped or formed with the tool wherein the finished part or the finished product is manufactured from the workpiece without using at least one additional operation needed by at least one other method for manufacturing a comparable finished part or a comparable finished product which the other method forms or shapes from a comparable workpiece having a comparable surface hardness without increasing the comparable surface hardness of the comparable workpiece during forming or shaping of the comparable workpiece, said at least one additional operation being selected from a group consisting of grinding, polishing, honing, deburring, peening, tumbling, burnishing, deep rolling, soft annealing, soft machining, soft shaping, soft forming, and work part cleaning.